



General Assembly

Amendment

May Special Session, 2016

LCO No. 6524



Offered by:

- REP. KLARIDES, 114th Dist.
- REP. CANDELORA, 86th Dist.
- REP. HOYDICK, 120th Dist.
- REP. MINER, 66th Dist.
- REP. O'NEILL, 69th Dist.

To: Senate Bill No. 505

File No.

Cal. No.

"AN ACT CONCERNING A SECOND CHANCE SOCIETY."

1 Strike subsection (b) of section 4 in its entirety and insert the
2 following in lieu thereof:

3 "(b) (1) Upon motion of a prosecutorial official, the superior court
4 for juvenile matters shall conduct a hearing to determine whether the
5 case of any child or young adult charged with the commission of a
6 violation of section 53a-122 or a class C, D or E felony or an
7 unclassified felony shall be transferred from the docket for juvenile
8 matters to the regular criminal docket of the Superior Court. The court
9 shall not order that the case be transferred under this subdivision
10 unless the court finds that (A) such offense was committed [after such
11 child attained the age of fifteen years] by a child when such child was
12 at least fifteen years of age or by a young adult, (B) there is probable
13 cause, based on either sworn affidavits or testimony, to believe the

14 child or young adult has committed the act for which the child or
15 young adult is charged, and (C) [the best interests of the child and the
16 public will not be served by maintaining the case in the superior court
17 for juvenile matters] public safety can best be served by transferring
18 the case to the regular criminal docket of the Superior Court. In
19 making such findings, the court shall consider (i) any prior criminal or
20 juvenile offenses committed by the child or young adult, (ii) the
21 seriousness of such offenses, and (iii) any evidence that the child or
22 young adult has intellectual disability or mental illness. [, and (iv)] In
23 making such findings, the court may consider the best interests of the
24 child or young adult, including the sophistication, maturity and
25 mental status of the child or young adult by consideration of his or her
26 social, environmental and mental health history and the availability of
27 services in the docket for juvenile matters that can serve the [child's]
28 needs of the child or young adult. Any motion under this subdivision
29 shall be made, and any hearing under this subdivision shall be held,
30 not later than thirty days after the child or young adult is arraigned in
31 the superior court for juvenile matters.

32 (2) If a case is transferred to the regular criminal docket pursuant to
33 subdivision (1) of this subsection, [or subdivision (3) of subsection (a)
34 of this section,] the court sitting for the regular criminal docket may
35 return the case to the docket for juvenile matters at any time prior to a
36 jury rendering a verdict or the entry of a guilty plea for good cause
37 shown for proceedings in accordance with the provisions of this
38 chapter."